

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

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|---|-----------------------|-------------------------|------------|----------------|-------|
| Date Submitted: | 4/11/2016 | Requested Meeting Date: | 04/18/2016 | | |
| | | Confirmed Meeting Date: | | | |
| Received by: | | | | | |
| Contact Information: Please provide all requested information in the fields below. (Print or Type) | | | | | |
| On Behalf of Organization or Individual: | | City of Franklin | | | |
| Name: | Lynnette Gray | | Telephone: | (317) 738-3365 | |
| Title or Position: | City Attorney | | | | |
| E-Mail: | lynng@igmlawfirm.com | | | | |
| Address: | 63 E. Court St. | | | | |
| City: | Franklin | State: | IN | ZIP: | 46131 |
| Who will attend the meeting and present the request? | | | | | |
| Name: | Lynnette Gray | | Telephone: | (317) 738-3365 | |
| Title or Position: | City Attorney | | | | |
| E-Mail: | lynng@igmlawfirm.com; | | | | |
| Please describe the purpose or title of your presentation. | | | | | |
| To request approval of Resolution No. 2016-05 accepting assignment of one (1) 2014 tax sale certificate from Johnson County, Indiana; | | | | | |
| Supporting documents: All supporting documents should be submitted with the request form. | | | | | |
| 1. Resolution 2016-05 - A Resolution accepting Assignment of One (1) 2014 Tax Sale Certificate from Johnson County, Indiana Pursuant to Indiana Code § 6-1.1-24-9 and § 36-1-11-8 | | | | | |
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RESOLUTION OF THE CITY OF FRANKLIN BOARD OF WORKS

RESOLUTION No.: 2016-05

**A RESOLUTION ACCEPTING ASSIGNMENT OF ONE (1) 2014 TAX SALE CERTIFICATE
FROM JOHNSON COUNTY, INDIANA PURSUANT TO
INDIANA CODE § 6-1.1-24-9 AND § 36-1-11-8**

WHEREAS, the City of Franklin by and through its Board of Works (hereinafter referred to as "City") is a government organization providing services to the citizens of Franklin, Indiana;

WHEREAS, the Johnson County Auditor and the Johnson County Treasurer conducted and completed a tax sale pursuant to Indiana Code 6-1.1-24 on the 12th day of September, 2014; and

WHEREAS, the following real estate in Johnson County, Indiana was offered for sale in the 2014 tax sale, and an amount was not received equal to or in excess of the minimum sale price prescribed by IC. 6-1.1-24-5(e) and (f):

Key Number /Property ID #: Brief Legal Description:
Brief Legal Description:
Street Address or other common description:
(Hereinafter referred to as "the Parcel")

41-07-18-042-010.001-018
W SE S18 T12 R5
0 East King Street, Franklin, IN
41-1400188

WHEREAS, pursuant to I. C. 6-1.1-24-6(a), the Johnson County Board of Commissioners ("County") and the City have acquired liens in the amount of the minimum sale price with respect to the Parcel;

WHEREAS, the Johnson County Auditor has issued tax sale certificate to the County for the Parcel pursuant to I.C. 6-1.1-24-6(b) and 6-1.1-24-9;

WHEREAS, pursuant to I.C. 6-1.1-24-9-6(b), when the County acquires a tax sale certificate, the County has the same rights as a purchaser;

WHEREAS, pursuant to I. C. 6-1.1-24-6(b), when the County acquired its lien on the parcel, no money was paid by the County;

WHEREAS, Indiana Code 6-1.1-24-9(d) authorizes the County to assign a certificate of sale held in the name of the County to any political subdivision during the life of the tax sale certificate;

WHEREAS, the Parcel is located in the City of Franklin, Indiana;

WHEREAS, the County, by and through its Board of Commissioners, and the City of Franklin, Indiana, by and through its Board of Public Works and Safety ("City"), have determined that it would be in the best interest of Johnson County and the City if the tax sale certificate for the Parcel were assigned from the County to the City pursuant to Indiana Code 6-1.1-24-9(d);

WHEREAS, the County and the City agree that no money shall be paid by the City for the assignment of the tax sale certificate to the City but that the City shall give certain assurances to the County regarding County employee parking and disposition of the parcel which shall be memorialized in an Interlocal Agreement to be executed by the County and the City;

WHEREAS, the City desires to accept an assignment of the tax sale certificate held by the County for the Parcel;

WHEREAS, the City agrees that after the tax sale certificate is assigned to the City, the City, through its lawfully authorized representatives, will give statutory notice, and, if not redeemed, perform all steps required by Indiana statutes to obtain title in the name of the City to the Parcel through the issuance of a tax deed from the Auditor of Johnson County;

WHEREAS, Indiana Code 36-1-11-8 authorizes the transfer of property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by the adoption of a substantially identical resolution by each entity;

WHEREAS, the County has agreed to adopt a substantially identical resolution to authorize the assignment of the tax sale certificate for the Parcel held in the name of the County to the City;

WHEREAS, the City by adopting this substantially identical resolution is authorized to accept the tax sale certificate for the Parcel;

BE IT THEREFORE RESOLVED the City of Franklin does hereby adopt the above aforementioned as findings of fact;

IT IS FURTHER RESOLVED that following the County and City's adoption of substantially identical resolutions to authorize the assignment of the tax sale certificate for the Parcel held in the name of the County to the City of Franklin, Indiana, the County will assign the tax sale certificate for the Parcel to the City pursuant to I.C. 6-1.1-24-9(c) and (d).

IT IS FURTHER RESOLVED that no money shall be paid by the City for the assignment of the tax sale certificate for the Parcel;

IT IS FURTHER RESOLVED that following assignment of the tax sale certificate, the City will give notice and take all steps necessary to obtain title to the Parcel. If the Parcel is not redeemed, the City, through its authorized representatives will follow and comply with the required statutory procedures for the issuance of a tax title deed for the Parcel from the Johnson County Auditor to the City, a City incorporated within the State of Indiana, pursuant to I.C.6-1.1-25-1 et seq.

IT IS FURTHER RESOLVED that the City and County shall enter into an Interlocal Agreement regarding the City providing the County with certain assurances regarding County employee parking and disposition of the parcel identified herein which shall be memorialized in the Interlocal Agreement to be executed by the County and the City;

IT IS FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and as provided by applicable law and the parties execution and recording of an Interlocal Agreement regarding County employee parking and disposition of the property.

Introduced, Approved & Adopted by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of _____, 2016.

CITY OF FRANKLIN, INDIANA, BY ITS BOARD OF PUBLIC WORKS AND SAFETY

Voting Affirmative:

Mayor Joseph E. McGuinness

Steve Barnett

Robert Swinehamer

Voting Opposed:

Mayor Joseph E. McGuinness

Steve Barnett

Robert Swinehamer

Attest:

Jayne Rhoades, Clerk Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41